

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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LB 512

public defender had the same concern in Hall County with the county board. And what he did is he decided to turn away paternity and child support cases, requiring our county board, then, to have to hire private attorneys to fulfill this. My question about this amendment is, I think we need to be very aware of what this is changing in statute. While the public defenders are required to provide the indigent case support, there is also somewhat of a loophole in that there are certain cases they do not have to provide for. And in those cases then, the county board is left holding the bag in the terms of having to pay for those expenses. I've introduced an interim study to look at this, and it focuses primarily on the practical budget impacts of the constitutional and statutory mandate for public defenders, to provide an adequate defense for their charges. What I'm going to do since we cannot divide the amendment, and Senator Will is not willing to pull this part of it, is vote to have 512 passed, if that's what your wish is, and then bring it back to strike Section 1. I think that this bill that he has added Section 1 needs a public hearing. I realized he introduced an amendment previously, but something that this can have an impact on our county board's budgets in that with the lid...upcoming lids, I think is something that we all need to be very aware of. The fact that there is the opportunity to public defenders to raise the salaries in their office is not the issue here. The fact is is that they may be able then to turn away certain cases and then the county board is left holding that. And so at this time I would simply like to inform you of the way that we will be working this. Since we cannot divide the amendment, we will go forward and then I will file another amendment to strike Section 1. If you have any questions, I'd be glad to try to answer those at this time. Thank...if not, then I will close and indulge you...have you indulge me till we get back to the second return to Select File.

PRESIDENT ROBAK: Thank you, Senator Peterson. Senator Wesely. Senator Wesely. Senator Landis.

SENATOR LANDIS: Question.

PRESIDENT ROBAK: Question has been called. Do I see five hands? I see five hands. The question before you is shall debate cease? All those in favor vote aye, all those opposed